

REMARKS

The Examiner has rejected claims 2 and 20 under 35 U.S.C. 112, Second Paragraph. The Examiner has also rejected claims 1 through 23 under 35 U.S.C. 103(a) as allegedly being obvious. In view of the above amendments and the following remarks, the Applicant respectfully requests the Examiner to reconsider the pending rejections.

The Section 112, Second Paragraph Rejections

The Examiner has rejected claims 2 and 20 under 35 U.S.C. 112, Second Paragraph. The Examiner has pointed out in claim 2 that the phrase “wherein the partition wall has a rear end portion that is located in the rearward of the front end of the communication part” is unclear. In addition, the Examiner also indicated that the location of communication part is unclear in both claims 2 and 20. Accordingly, claims 2 and 20 have been amended to address the above indefiniteness. In both claims, the term, “communication part” has been eliminated. By the same token, both claims have been also amended to elucidate the subject matter limitations with respect to the end portion of the partition wall. Thus, the newly amended claims now particularly point out and distinctly claim to the patentable feature of the current invention. Therefore, the Applicant respectfully submits to the Examiner that the rejections under Section 112, Second Paragraph should be withdrawn.

The Section 103 Rejections

The Examiner has rejected claims 1 through 23 under 35 U.S.C. 103(a) as allegedly being obvious. In particular, the Examiner has rejected claims 1 through 4, 7 through 14 and 18 through 22 as allegedly being unpatentable over US2004/0179948 (Saiki). Furthermore, the Examiner has rejected claims 5 and 6 as allegedly being

unpatentable over US2004/0179948 (Saiki) in view of Fukanuma and claims 15 and 16 as allegedly being unpatentable over US2004/0179948 (Saiki) in view of Parrot.

The Examiner is respectfully reminded that the current application has been assigned to the same assignee as the cited reference, US2004/0179948. Since US2004/0179948 was filed on November 19, 2001 before the filing date on March 15, 2004 of the currently pending application and was published on September 16, 2004. Although US2004/0179948 qualifies as a prior art under 35 U.S.C. 102(e), the published application, US2004/0179948 has been assigned to Toyota Jidoshokki, which is evidenced by a first enclosed Patent Assignment Abstract Title. Similarly, the currently pending application has been also assigned to the same assignee as evidenced by a second enclosed Patent Assignment Abstract Title. 35 U.S.C. 103(c) provides that "the subject matter and the invention [as disclosed in US2004/0179948] were, at the time the claimed invention was made, owned by the same person or subject to an obligation of assignment to the same person." For this reason, US2004/0179948 is disqualified as a prior art under 35 U.S.C. 103(c). Therefore, the Applicant respectfully submits to the Examiner that the rejections under Section 103 should be withdrawn.

The Amendments to the Specification

The specification has been amended to further clarify the originally disclosed subject matter in order to improve the quality of the disclosure. No new matter has been added to the current application by the specification amendments. Therefore, the Applicant respectfully submits to the Examiner that the proposed specification amendments be entered.

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Page -13-

Conclusion

In view of the above amendments and the foregoing remarks, Applicant respectfully submits that all of the pending claims are in condition for allowance and respectfully request a favorable Office Action so indicating.

Respectfully submitted,

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